

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

Marilyn Ann Phillips,  
Plaintiff,

vs.

Farmers Insurance Company, Inc. ,  
Defendant.

Case Number: 17-CV-547-JED-JFJ  
Proceeding: Pretrial Conference  
Date: 4-4-2019  
Court Time: 1:30 p.m.  
Actual Court Time: 1:40 p.m. to 2:17 p.m.

**MINUTE SHEET**

John E. Dowdell, Chief U.S. District Judge      L. Lyles, Deputy Clerk      Greg Bloxom, Reporter

Counsel for Plaintiff: Anthony Laizure

Counsel for Defendant: Robert Taylor

Minutes: This comes on for a Pretrial Conference. Defendant withdraws its objections to PX 5, 9, 15, and 22. Additional objections to exhibits, and potential redactions, were discussed and rulings reserved for trial. The parties agreed that DX 28 (Bixby police report) and DX 29 (9/5/12 interview of plaintiff) will not be offered at trial, consistent with the defendant's previous representations in Doc. 45. The parties are in agreement that PX 33, which is an April 2, 2019 video deposition, be admitted. The parties are in agreement that their respective experts will not be excluded from the courtroom under the Rule of Sequestration. The parties agree that DX 38 (deposition transcript of James Rodgers, MD) contains a transcription error. Specifically on page 58, at line 6, the word "but" should be replaced with the word "that". They will have the court reporter prepare an errata page to correct the error for possible use at trial. The defendant's counsel raised an objection to the portion of Dr. Rodgers's deposition in which the plaintiff's counsel conducted a demonstration with a plant, a pot, and dirt. The Court has since reviewed that portion of the video deposition, and the defendant's objection thereto is sustained. An additional Settlement Conference is discussed. The parties will contact the Court if they wish to have a conference set. Opening statements will be 30-40 minutes. Estimated trial time is 3 days.